

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In Re: Mirapex Products Liability Litigation,

07-MD-1836 JMR/FLN

This document relates to:

Sheree Burd,

Civil 09-807 JMR/FLN

Plaintiff,

v.

O R D E R

Boehringer Ingelheim Pharmaceuticals,
Inc., et al.,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated May 28, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that Defendant Boehringer Ingelheim Pharmaceuticals, Inc.'s motion to dismiss for failure to state a claim (Fed.R.Civ.P. 12(b)(6)) [#16] is GRANTED, and Counts V, VI, VII and XI of Plaintiff's complaint are dismissed without prejudice. Plaintiff is granted leave to amend her complaint.

DATED: June 14, 2010.
at Minneapolis, Minnesota

s/James M. Rosenbaum
JUDGE JAMES M. ROSENBAUM
United States District Court